

GP 3763

Attorney Docket No.: RADNT-031A

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of: Michael W. Dae, et al. )

Art Unit: 3763

Application No. 10/015,220 )

Examiner: Hayes, M.

Filed: October 26, 2001 )

For: Intra-aortic Balloon  
Counterpulsation With Concurrent  
Hypothermia )

Commissioner for Patents  
Washington, D.C. 20231

**RECEIVED**

JAN 31 2003

TECHNOLOGY CENTER R3700

**Transmittal Letter**

Dear Sir:

- ☐ In accordance with Rule 136, the Commissioner is hereby petitioned for a \_\_\_\_ ( ) month extension of time, extending to \_\_\_\_, 2003 the period for response to the Office action dated **October 20, 2002**. Check No. \_\_\_\_ for \$ 0.00 is enclosed.
- ☐ Enclosed is a certified copy of Serial No. \_\_\_\_\_ from which priority is claimed in the subject case pursuant to 37 CFR § 1.55b and 35 U.S.C. § 119.
- ☐ Enclosed is an Assignment of the invention to [Assignee], including a cover sheet and Check No. [Assignment Check No.] for \$40.
- ☐ A Declaration of Inventorship and Limited Power of Attorney is enclosed.
- ☐ A Certificate of Ownership and Power of Attorney is enclosed.
- ☐ An information disclosure statement is enclosed.
- ☒ Enclosed herewith is a preliminary amendment and response for filing in relation to the above-identified application. Entry and consideration of this preliminary amendment and response is requested.

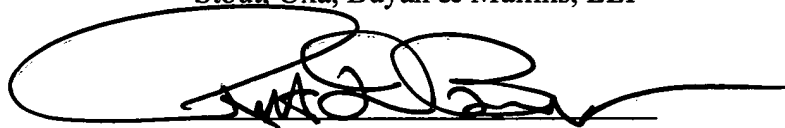
- ☒ Check No.2889 is enclosed covering the additional filing fees in the amount of \$18.00, with the fees calculated as follows:

	(Col. 1)	(Col. 2)	(Col. 3)		Small Entity		Other than a
	Claims	Highest No.	Present		Additional		Small Entity
	Remaining	Previously	Extra		Rate	Fee	Additional
	After	Paid For					Rate
	Amendment						Fee
Total claims	27	- 25 =	2	x 9	\$ 18	Or	x 18 \$
Independent claims	4	- 4 =	0	x 42	\$	Or	x 84 \$
First presentation of multiple dependent claims				+ 140	\$	Or	+ 280 \$
				Total	\$ 18	Or	Total \$

- ☒ The Commissioner is hereby authorized to charge any underpayment and credit any overpayment of the filing fees required under 37 CFR § 1.16 and any patent application processing fees required under 37 § CFR 1.17 to Deposit Account No. 50-0878. A duplicate copy of this sheet is enclosed.

Respectfully submitted,  
Stout, Uxa, Buyan & Mullins, LLP

Date: January 20, 2003



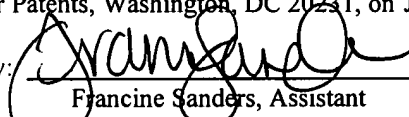
Robert D. Buyan, Reg. No. 32,460

4 Venture, Suite 300  
Irvine, CA 92618  
Telephone:(949) 450-1750; Facsimile: (949) 450-1764  
email: rbuyan@patlawyers.com

#### CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, Washington, DC 20231, on January 20, 2003.

Dated: January 20, 2003

By:   
Francine Sanders, Assistant



Attorney Docket No: RADNT-031A

*P #6*  
*Per Amdb*  
*a*  
*S. Byrce*  
*3/14/03*

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of: Michael W. Dae, et al. )

Art Unit: 3763

Serial No.10/015,220 )

Examiner: Hayes, Michael J.

Filed: October 26, 2001 )

For: Intra-aortic Balloon Counterpulsation with )  
Concurrent Hypothermia )

**PRELIMINARY AMENDMENT AND RESPONSE TO**  
**OFFICE ACTION DATED DECEMBER 20, 2002**

**RECEIVED**

**JAN 31 2003**

TECHNOLOGY CENTER R3700

Commissioner for Patents  
Washington, D.C. 20231

Dear Sir:

**Amendment**

Prior to substantive examination of this application, please amend the application as follows:

**IN THE CLAIMS:**

Please add new Claims 26 and 27, as shown in clean format herebelow and in marked-up format in Appendix A:

*5/27* 26. A method according to Claim 19 wherein the heat exchange catheter provided in Step A and the intra-aortic balloon counterpulsation catheter provided in Step B comprise a single catheter body having both a heat exchanger and a counterpulsation balloon thereon.

27. A method according to Claim 19 wherein the heat exchange catheter provided in Step A and the intra-aortic balloon counterpulsation catheter provided in Step B comprise separate catheters.

01/29/2003 SDENB01 00000023 10015220

01 FC:2202

18.00 OP